

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DIQUAN BOOKER

Plaintiff(s),

v.

Sgt OCKAMUCHI

Defendant(s).

U.S. DISTRICT COURT N.D. OF N.Y.
FILED
FEB 17 2023
AT _____ O'CLOCK _____
John M. Domurad, Clerk - Syracuse

COMPLAINT
(Pro Se Prisoner)Case No. 9:23-cv-00218
(Assigned by Clerk's
Office upon filing) GTS/DJS**Jury Demand** Yes No**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include *only*: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

I. LEGAL BASIS FOR COMPLAINT

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

- 42 U.S.C. § 1983 (state, county, or municipal defendants)
- Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- Other (please specify) _____

II. PLAINTIFF(S) INFORMATION

Name: DIQUAN BookER
Prisoner ID #: 16A1691
Place of detention: Greene Correctional facility
Address: P.O Box 975
Coxsackie, New York 12051-0975

Indicate your confinement status when the alleged wrongdoing occurred:

- Pretrial detainee
- Civilly committed detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

III. DEFENDANT(S) INFORMATION

Defendant No. 1: SGT OCKAMUCHI
Name (Last, First)
SGT He did not give me badge #
Job Title
Po Box 975
Work Address
COXSACKIE, New York 12051-0975
City State Zip Code

Defendant No. 2: _____
Name (Last, First)

Job Title

Work Address

City _____ State _____ Zip Code _____

Defendant No. 3:

Name (Last, First) _____

Job Title

Work Address

City _____ State _____ Zip Code _____

Defendant No. 4:

Name (Last, First) _____

Job Title

Work Address

City _____ State _____ Zip Code _____

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

IV. STATEMENT OF FACTS

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

- How each defendant was involved in the conduct you are complaining about

If you were physically injured by the alleged misconduct, describe the nature of your injuries and the medical evaluation and treatment you were provided. You need not cite to case law or statutes or provide legal argument in the Statement of Facts. Use additional sheets of paper if necessary.

Jan 24 a razor was pulled out on me Diguan Booker because i turn in another bloods gang Member iPhone charger the dirty correctional officer gave to a bloods gang member i went to Sgt OCKAMUCHI let him no after i told him what happen i needed protective custody i got denied protective custody and Sgt OCKAMUCHI called me a rat after i told him a blood gang Member pulled a razor out on me because i gave the other Sgt the iPhone charger the dirty bad correctional officer gave to the blood gang INMATE friend. i got denied protective custody Sgt OCKAMUCHI put me back around the bloods gang INMATES i was scared Jan 26 i got bump by a bloods gang inmate had to go to medical for neck injuries Jan 28 i was in the shower i guy came in there ram the legs of chair in my chest i drop i had hard time breathing i Went to medical for chest pains as well i was taking two kinds of medication for my chest pains and neck pains OCKAMUCHI set me up.

STATEMENT OF CLAIM(S)

State briefly and concisely the constitutional and/or statutory basis for each claim you seek to assert and identify the defendant(s) against whom each claim is

I called outside investigation and let them know i don't want to get beat up for filing grievance on Sgt Ockamuchi Proof#444

Ockamuchi, ^{said} if i had a problem let him know i let him know two times he did not do nothing he did not arrest the inmates i griev this i did not get called down i griev it again iam sending copies of grievance to show the court this is serious i requested protective custody i was denied i am nervous i need protection ^{because} these inmates and corrections officer they are dirty bad and making me really nervous ockamuchi lied and said if anything happen let him know i did he did not do nothing he lied to me he set me up to get hurt i called outside investigation #444 let them know what happen. The SGT lied and said it no protective custody Sgt ockamuchi is a bad dirty sgt that don't like me, Sgt ockamuchi did nothing about this. I could of died,

DATED 2/9/23 PLAINTIFF
SIGNATURE *Diggy Brooks*
16A1691

Proof

grieve 2 copies
it I am sending
to court

first grievance

they did not get back to me
this is second grievance I filed a third grievance, ^{case} ^{just} ^{don't} ^{wait}

asserted. Commonly asserted claims include: excessive force; failure to protect; deliberate indifference to medical needs; unconstitutional conditions of confinement; denial of due process in a disciplinary or other proceeding; denial of equal protection; retaliation for the exercise of a First Amendment right; and interference with free exercise of religion. Legal argument and case citations are not required. Use additional sheets of paper if necessary.

FIRST CLAIM

A Hit on My life

SECOND CLAIM

fail to protect me

THIRD CLAIM

Violating me calling me a rat

about a bloods gang member pulling a razor out on

Me and me letting him know and about the iPhone charger he called me a rat.

VI. RELIEF REQUESTED

State briefly what relief you are seeking in this case.

1 billion dollars from defendant

Sgt Okamuchi and I want to go home these correctional officers are corrupted they trying to have the inmates kill me

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 2/9/23

Digam Booker

Plaintiff's signature

(All plaintiffs must sign the complaint)

(revised 10/27/16)

FORM 231E (9/12)

State of New York - Department of Correctional Services
INMATE GRIEVANCE COMPLAINT

Grievance No. _____

Greene

CORRECTIONAL FACILITY

Date 2/9/23Name Diquan Booker

Dept No. _____

Housing Unit C2Program NONEAM NONE

PM

(Please Print or Type - This form must be filed within 21 calendar days of Grievance Incident)=

Description of Problem: (Please make as brief as possible) ON 28 OF January

I Was hit in the chest with the legs of a chair in shower I hit the ground in the shower , I let Sgt know he did nothing about it ON 26 of January , sgt bump and my neck started to hurt . I went to medical for both situation I let Sgt ~~OKAMUCHI~~ know , I think that his name he's short he did nothing to them or about the situation it's more to this story i can't say here because inmates read grievance , I ask sgt his name he said he don't name drop he can't give me

Grievant Signature: Diquan BookerSgt
Correc
Man

Grievance Clerk: _____

Date: _____

Advisor Requested YES NO Who: _____

Action Requested by Inmate: I Diquan Booker would like to be move from Greene Correctional facility and this investigated this is not right what's going on to me sgt know and he's not doing nothing about this . I want to pursue my grievance and i don't want it to be retaliation on , The Grievance has been formally resolved as follows:

This Informal Resolution is accepted:

(To be completed only if resolved prior to hearing)

Grievant

Signature: Diquan BookerDate: 2/9/23

If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).
 * An exception to the time limit may be requested under Directive # 4040, section 701.6(g).

FORM 2131e (REVERSE) (9/12)
Response of IGRC:

Date Returned to Inmate: _____

IGRC Members: _____

Chairperson: _____

Return within 7 calendar days and check appropriate boxes.*

I disagree with IGRC response and wish to appeal to the Superintendent.

I have reviewed deadlocked responses.
Pass-Thru to Superintendent.

I agree with the IGRC response and wish to appeal to the Superintendent.

I apply to the KIP Supervisor for review of dismissal.

Signed: _____
Grievant

Date

Grievance Clerk's Receipt

Date

To be completed by Grievance Clerk.

GrievanceAppealed to the Superintendent: _____ Date _____

Grievance forwarded to the Superintendent for action: _____ Date _____

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

FORM 201E (9/12)

State of New York - Department of Correctional Services
INMATE GRIEVANCE COMPLAINT

Grievance No. _____

Greene

CORRECTIONAL FACILITY

Date 2/9/23Name Diquan Booker

Dept No. _____

Housing Unit C2Program NONEAM NONE

PM

(Please Print or Type - This form must be filed within 21 calendar days of Grievance Incident)*

Description of Problem: (Please make as brief as possible) ON 28 OF JanuaryI Was hit in the chest with the legs of a chair in shower i hit the ground in the shower i let sgt know he did nothing about it ON 26 of January i got bump and my neck started to hurt. I went to medical for both situationi let sgt ~~ASSISTANT~~^{OCKAMUCHI} know i think that his name he's shorthe did nothing to them or about the situation it's more to this story i can't say here because inmates read grievance. I ask sgt this name he said he don't name drop he can't give me

Grievant

Signature: Diquan BookerSgt
Corr
Nur

Grievance Clerk: _____

Date: _____

Advisor Requested YES NO

Who: _____

Action Requested by Inmate: I Diquan Booker would like to be move from greene correctional facility and this investigated this is not right what's going on to me sgt know and he's not doing nothing about this. I want to pursue my grievance and i don't want it to be retaliation on me
The Grievance has been formally resolved as follows:This Informal Resolution is accepted:
(To be completed only if resolved prior to hearing)

Grievant

Signature: Diquan BookerDate: 2/9/23If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).
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FORM 2131e (REVERSE) (9/12)
Response of IGRC:

Date Returned to Inmate: _____

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Chairperson: _____

Return within 7 calendar days and check appropriate boxes.*

I disagree with IGRC response and wish to appeal to the Superintendent

I have reviewed deadlocked responses.
Pass Thru to Superintendent

I agree with the IGRC response and wish to appeal to the Superintendent

I apply to the IGP Supervisor for review of Grievance

Signed: _____

Grievant

Date

Grievance Clerk's Receipt

Date

To be completed by Grievance Clerk

GrievanceAppealed to the Superintendent: _____ Date _____

Grievance forwarded to the Superintendent for action: _____ Date _____

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

GREENE CORRECTIONAL FACILITY

P.O. BOX 975

COXSACKIE, NEW YORK 12051-0975

NAME: Digvan Booket DIN: 16A1691

02/13/2023

US POSTAGE

\$000.84⁰



ZIP 12051
041M11465187



Legal
Mail
Open
ASAP

Clerk US District Court
100 S Clinton Street
Syracuse NY 13261-7367

Case 9:23-cv-00218-GTS-DJS NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
OFFENDER CORRESPONDENCE PROGRAM

NAME: Diquan Booker DIN: 16A1691

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